REMARKS

Claims 1-56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szabo in view of Arteaga. In response to the office action, Applicant has amended the claims 1, 17, 33, 41, 42 and 54.

Applicant has amended Claim 1, which now recites:

A traffic manager for facilitating communication in accordance with at least one policy between a client node and a server node wherein the client node and the server node have at least one distinguishing characteristic between them and the at least one distinguishing characteristic includes more than having distinguishing network addresses, the server node having a first interface associated therewith, the client node having an existing interface associated therewith, the traffic manager capable of communicating with both the client node and the server node and comprising a central processing unit which is operable to:

communicate with the server node via the first interface, wherein the first interface is incompatible with the existing client interface because of the at least one distinguishing characteristic;

generate at least a second interface, for communication with the first interface, in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic; and

publish the second interface, thereby allowing the client node to access at least one service on the server node via the traffic manager in accordance with the at least one policy.

As explained in the pending application, a traffic manager facilitates communication in accordance with at least one policy between a server node and a client node. The server node interface and the client node interface are unable to communicate with each other because of one or more distinguishing characteristics, in addition to distinguishing network addresses, between the server node and the client node. The traffic manager therefore generates an interface according to one or more policies such that the new interface bridges the communication between the client node and the server node. The traffic manager then

publishes the generated interface. The client node can now use this newly generated interface directly or through traffic manager to communicate with the server node.

The Examiner cites Szabo reference against the claimed invention. The filing date for the claimed invention is December 11, 2001. The Szabo reference was filed on August 20, 2003 and is a continuation in part of application no. 10/119, 433 filed on April 9, 2002. Both these references standing alone cannot be cited against our invention as prior art. Application no. 10/119, 433, however, claims priority to provisional application no. 60/293, 466 filed on May 24, 2001. The applicant requests that the Examiner provide the applicant with a copy of provisional application no. 60/293, 466. Additionally, the applicant requests that the Examiner cite to the part of the provisional providing support to cited disclosure in Szabo reference. Without proper support in the provisional application, the Szabo reference cannot be cited as prior art against the claimed invention.

Even if the provisional application provides the required support for the Szabo reference, neither Szabo nor Arteaga disclose, teach or suggest the claimed elements of "communicate with the server node via the first interface, wherein the first interface is incompatible with the one or more existing client interface because of the at least one distinguishing characteristic," "generate at least a second interface, for communication with the first interface, in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic" or "publish the second interface, thereby allowing the client node to access at least one service on the server node via the traffic manager in accordance with the at least one policy."

Szabo discloses a system to route the packet flow between the client and server such that all the packets between the client and the server flow through the same traffic manager (2:28-2:32). The packets on their way from the client to the server are received by a distributor and then passed to a particular traffic manager (2:34-2:37). The distributor applies a hash function to the source or destination IP address and port numbers to determine the traffic management device that should get the packets (2:37-2:47). The packets are then forwarded to the determined traffic manager device. The traffic manager may perform special processing on the packets such as reading the content of the packet header, storing the state of the transaction between the server and the client, and forwarding the package to the server or the client (8:21-8:25).

Szabo does not disclose, teach or suggest "communicate with the server node via the first interface, wherein the first interface is incompatible with the one or more existing client interface because of the at least one distinguishing characteristic." The Examiner points to Szabo at 8:42-8:48 as disclosing this limitation. The cited part discloses a traffic management device that "may have multiple network interface and each network interface unit may interface with one or more networks." (8:42-8:48). The cited part does not disclose that the "first interface is incompatible with the one or more existing client interface because of the at least one distinguishing characteristic."

Szabo also fails to disclose, teach or suggest "generate at least a second interface, for communication with the first interface, in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic." Szabo instead discloses that the traffic manager may act like a firewall and

perform network address translation on the received packets (8:8-8:12). A firewall, however, does not generate and publish interfaces. The firewall is instead responsible for inspecting traffic and permitting only the allowed traffic to pass through the firewall. A network manager pre-configures the firewall to block and allow certain kinds of network traffic. A firewall therefore passes traffic between already existing interfaces. Accordingly, A firewall does not general and publish interfaces.

Additionally, claim 1, as amended, requires the distinguishing characteristic between the server and the client "includes more than having distinguishing network addresses." Translating network addresses alone therefore cannot qualify as "generate at least a second interface, for communication with the first interface, in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic." Accordingly, Szabo fails to disclose "generate at least a second interface, for communication with the first interface, in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic."

The Examiner then cites Szabo 8:49-8:63 for disclosing "in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic." The traffic manager in Szabo, however, does not generate any second interface in accordance with any policy in the cited part. The Szabo reference at 8:49-8:63 discloses that the distributor, and not the traffic manager, applies a hash function to determine the IP address of the selected traffic manager that should get the packets from the server or the client in a particular transaction. The distributor, however, is not the same

entity as traffic manager. Moreover, even the distributor is not generating any new interfaces. The distributor is simply applying a hash function to determine an already existing IP address. Because the traffic manager is not the one applying the hash function and the result of the hash function is a pre-existing IP address, the cited part in Szabo reference does not disclose, teach or suggest "generate at least a second interface, for communication with the first interface, in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic."

Additionally, the Szabo reference does not disclose "publish the second interface, thereby allowing the client node to access at least one service on the server node via the traffic manager in accordance with the at least one policy." Because the traffic manager does not generate a second interface as discussed above, the traffic manager has no second interface to publish.

Arteaga does not remedy the deficiencies of Szabo reference. Arteaga discloses a system to enable a remote device to access and update data on a network server even when the remote client does not have network access [0007]. The Arteaga system enables such access by providing a resident server on the remote device [0007]. When the remote device does not have network access, the remote client conducts transactions on the resident server [0008]. When the remote device later gets network access, the resident server updates the network server "through a combination of HTTP and SOAP transfer protocols" [0008]. In this manner, the remote device can execute transactions even without network access.

Arteaga, however, does not disclose, teach or suggest the claimed elements "communicate with the server node via the first interface, wherein the first interface is

incompatible with the one or more existing client interface because of the at least one distinguishing characteristic," or "generate at least a second interface, for communication with the first interface, in accordance with the at least one policy, wherein the at least one policy provides a mechanism to bridge the at least one distinguishing characteristic" or "publish the second interface, thereby allowing the client node to access at least one service on the server node via the traffic manager in accordance with the at least one policy."

Accordingly, neither Szabo nor Arteaga disclose, teach or suggest the above mentioned limitations of claim 1. Therefore, claim 1 is patentable over Szabo and Arteaga, alone and in combination.

Independent claims 17, 33, 41, 42 and 54 recite similar language and are also patentable over Szabo and Arteaga, alone and in combination, for at least the same reasons.

The claims not specifically mentioned above depend from their respective base claims, which were shown to be patentable over Szabo and Arteaga, alone and in combination. In addition, these claims recite other features not included in their respective base claims. Thus, these claims are patentable over Szabo and Arteaga, alone and in combination, for at least the reasons discussed above, as well as for the elements that they individually recite.

Conclusion

In sum, Applicant respectfully submits that claims 1-56, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicant requests reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicant respectfully invites the Examiner to contact Applicant's representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

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